IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1491 OF 2002

Smt. Veena Kumari A. Khosla & Ors. ...Petitioners.

Versus

The State of Maharashtra & Anr ...Respondents

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Mr. Pandey i/b M/s. Pandey & Co. for petitioners.
Ms. Asha Gole i/b J.J. Saxena for respondent No.2.
Shri. A.S. Shitole, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 14TH DECEMBER, 2004

P.C.:-

1. Heard the counsel for the petitioners, the learned advocate for respondent No.2 i.e. original complainant and the learned A.P.P.for the State. The petitioners and original complainant is present in person. I have also heard them.

2. The respondent No.2 original complainant Subhash Talwar has filed complaint No.43/S/98 before the Metropolitan Magistrate, 30th Court, Kurla, Mumbai against the petitioners under Section 500 of Indian Penal Code. It is stated that the

dispute between the parties is now amicably settled and parties have filed consent terms duly signed by them before this Court which is marked as "X" for identification. In the said consent terms it is stated that the dispute is amicably settled between the parties. The complainant is present in person before the Court and he states that he does not wish to pursue his complaint i.e. complaint No.43/S/98 and the proceedings relating thereto. In my opinion, as the complainant does not wish to pursue his complaint no purpose would be served by continuing with the proceedings in the said complaint. Hence, criminal complaint No. 43/S/98 pending before the Metropolitan Magistrate, 30th Court, Kurla, Mumbai and the proceedings relating thereto are quashed. Rule is made absolute in terms of prayer clause (a).

3. An authenticated copy of this order be supplied to the parties.